

the employing office must afford an employee his or her FMLA rights, as made applicable by the CAA. "ADA's disability" and FMLA's "serious health condition" are different concepts, and must be analyzed separately. FMLA entitles eligible employees to 12 weeks of leave in any 12-month period due to their own serious health condition, whereas the ADA allows an indeterminate amount of leave, barring undue hardship, as a reasonable accommodation. FMLA requires employing offices to maintain employees' group health plan coverage during FMLA leave on the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period, whereas ADA does not require maintenance of health insurance unless other employees receive health insurance during leave under the same circumstances.

(c)(1) A reasonable accommodation under the ADA might be accomplished by providing an individual with a disability with a part-time job with no health benefits, assuming the employing office did not ordinarily provide health insurance for part-time employees. However, FMLA would permit an employee to work a reduced leave schedule until the equivalent of 12 workweeks of leave were used, with group health benefits maintained during this period. FMLA permits an employing office to temporarily transfer an employee who is taking leave intermittently or on a reduced leave schedule to an alternative position, whereas the ADA allows an accommodation of reassignment to an equivalent, vacant position only if the employee cannot perform the essential functions of the employee's present position and an accommodation is not possible in the employee's present position, or an accommodation in the employee's present position would cause an undue hardship. The examples in the following paragraphs of this section demonstrate how the two laws would interact with respect to a qualified individual with a disability.

(2) A qualified individual with a disability who is also an eligible employee entitled to FMLA leave requests 10 weeks of medical leave as a reasonable accommodation, which the employing office grants because it is not an undue hardship. The employing office advises the employee that the 10 weeks of leave is also being designated as FMLA leave and will count towards the employee's FMLA leave entitlement. This designation does not prevent the parties from also treating the leave as a reasonable accommodation and reinstating the employee into the same job, as required by the ADA, rather than an equivalent position under FMLA, if that is the greater right available to the employee. At the same time, the employee would be entitled under FMLA to have the employing office maintain group health plan coverage during the leave, as that requirement provides the greater right to the employee.

(3) If the same employee needed to work part-time (a reduced leave schedule) after returning to his or her same job, the employee would still be entitled under FMLA to have group health plan coverage maintained for the remainder of the two-week equivalent of FMLA leave entitlement, notwithstanding an employing office policy that part-time employees do not receive health insurance. This employee would be entitled under the ADA to reasonable accommodations to enable the employee to perform the essential functions of the part-time position. In addition, because the employee is working a part-time schedule as a reasonable accommodation, the FMLA's provision for temporary assignment to a different alternative position would not apply. Once the employee has exhausted his or her remaining FMLA leave entitlement while working the reduced

(part-time) schedule, if the employee is a qualified individual with a disability, and if the employee is unable to return to the same full-time position at that time, the employee might continue to work part-time as a reasonable accommodation, barring undue hardship; the employee would then be entitled to only those employment benefits ordinarily provided by the employing office to part-time employees.

(4) At the end of the FMLA leave entitlement, an employing office is required under FMLA to reinstate the employee in the same or an equivalent position, with equivalent pay and benefits, to that which the employee held when leave commenced. The employing office's FMLA obligations would be satisfied if the employing office offered the employee an equivalent full-time position. If the employee were unable to perform the essential functions of that equivalent position even with reasonable accommodation, because of a disability, the ADA may require the employing office to make a reasonable accommodation at that time by allowing the employee to work part-time or by reassigning the employee to a vacant position, barring undue hardship.

(d)(1) If FMLA entitles an employee to leave, an employing office may not, in lieu of FMLA leave entitlement, require an employee to take a job with a reasonable accommodation. However, ADA may require that an employing office offer an employee the opportunity to take such a position. An employing office may not change the essential functions of the job in order to deny FMLA leave. *See* 825.220(b).

(2) An employee may be on a workers' compensation absence due to an on-the-job injury or illness which also qualifies as a serious health condition under FMLA. The workers' compensation absence and FMLA leave may run concurrently (subject to proper notice and designation by the employing office). At some point the health care provider providing medical care pursuant to the workers' compensation injury may certify the employee is able to return to work in a light duty position. If the employing office offers such a position, the employee is permitted but not required to accept the position. *See* 825.220(d). As a result, the employee may no longer qualify for payments from the workers' compensation benefit plan, but the employee is entitled to continue on unpaid FMLA leave either until the employee is able to return to the same or equivalent job the employee left or until the 12-week FMLA leave entitlement is exhausted. *See* 825.207(e). If the employee returning from the workers' compensation injury is a qualified individual with a disability, he or she will have rights under the ADA, as made applicable by the CAA.

(e) If an employing office requires certifications of an employee's fitness for duty to return to work, as permitted by FMLA under a uniform policy, it must comply with the ADA requirement that a fitness for duty physical be job-related and consistent with business necessity.

(f) Under Title VII of the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act, and as made applicable by the CAA, an employing office should provide the same benefits for women who are pregnant as the employing office provides to other employees with short-term disabilities. Because Title VII does not require employees to be employed for a certain period of time to be protected, an employee employed for less than 12 months by the employing office may not be denied maternity leave if the employing office normally provides short-term disability benefits to employees with the same tenure who are experiencing other short-term disabilities.

(g) Under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. 4301, *et seq.*, veterans are entitled to receive all rights and benefits of employment that they would have obtained if they had been continuously employed. Therefore, under USERRA, a returning servicemember would be eligible for FMLA leave if the months and hours that he or she would have worked for the civilian employing office during the period of absence due to or necessitated by USERRA-covered service, combined with the months employed and the hours actually worked, meet the FMLA eligibility threshold of 12 months of employment and the hours of service requirement. *See* 825.110(b)(2)(i) and (c)(2) and 825.802(c).

(h) For further information on Federal antidiscrimination laws applied by section 201 of the CAA (2 U.S.C. 1311), including Title VII, the Rehabilitation Act, and the ADA, individuals are encouraged to contact the Office of Congressional Workplace Rights.

#### SUBPART H—[Reserved]

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-2848. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Fiscal Year 2018 Report to Congress on Community Services Block Grant Discretionary Activities — Community Economic Development and Rural Community Development Programs; to the Committee on Education and Labor.

EC-2849. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Report to Congress on "The Thirteenth Review of the Backlog of Postmarketing Requirements and Postmarketing Commitments", pursuant to 21 U.S.C. 355(k)(5)(B); June 25, 1938, ch. 675, Sec. 505(k)(5)(B) (as added by Public Law 110-85, Sec. 921); (121 Stat. 962); to the Committee on Energy and Commerce.

EC-2850. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2021-0106; Project Identifier AD-2020-00708-R; Amendment 39-21735; AD 2021-19-17] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2851. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina: Mecklenburg Ambient Air Quality Standards [EPA-R04-OAR-2020-0707; FRL-9059-02-R4] received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2852. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methylobacterium populi Strain NLS0089; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2020-0481; FRL-8918-01-OCSP] received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2853. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting

the Agency's final rule — Significant New Use Rules on Certain Chemical Substances (20-10-B) [EPA-HQ-OPPT-2020-0497; FRL-8215-01-OCSP] (RIN: 2070-AB27) received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2854. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Pyriproxyfen; Pesticide Tolerances [EPA-HQ-OPP-2020-0512; FRL-8668-01-OCSP] received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2855. A letter from the Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), Sodium Salt; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2021-0192; FRL-8652-01-OCSP] received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2856. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to serious human rights abuse and corruption that was declared in Executive Order 13818 of December 20, 2017, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2857. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2858. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2859. A letter from the Secretary, Department of Health and Human Services, transmitting a report on "Strategies to improve patient safety", pursuant to 42 U.S.C. 299b-22(j)(2); Public Law 109-41, Sec. 2(a); (119 Stat. 431); to the Committee on Energy and Commerce.

EC-2860. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Consolidation and Substantial Bidding [FAC 2022-01; FAR Case 2019-003; Item II; Docket No.: 2019-0029; Sequence No.: 1] (RIN: 9000-AN86) received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC-2861. A letter from the Secretary of the Board of Governors, U.S. Postal Service, transmitting an amendment to the Board's report on postal officers and employees who received total compensation in calendar year 2020 in the amount authorized by 39 U.S.C. 3686(c), pursuant to 39 U.S.C. 3686(c); Public Law 109-435, Sec. 506; (120 Stat. 3236); to the Committee on Oversight and Reform.

EC-2862. A letter from the Chief, Branch of Conservation, Permits and Regulation, Division of Migratory Bird Management, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; 2021-2022 Seasons for Certain Migratory Game Birds [Docket No.: FWS-HQ-MB-2020-0032; FF09M22000-212-FXMB1231099BPP0] (RIN: 1018-BE34) received October 5, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-2863. A letter from the Chief, Branch of Conservation, Permits, and Regulation, Division of Migratory Bird Management, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2021-22 Season [Docket No.: FWS-HQ-MB-2020-0032; FF09M220002012;2012;FXMB1231099BPP0] (RIN: 1018-BE34) received November 23, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-2864. A letter from the Chief Counsel, Economic Development Administration, Department of Commerce, transmitting the Department's final rule — Permitting Additional Eligible Tribal Entities [Docket No.: 210916-0191] (RIN: 0610-AA82) received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2865. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment Class D and Class E Airspace; Ardmore, OK [Docket No.: FAA-2021-0674; Airspace Docket No.: 21-ASW-14] (RIN: 2120-AA66) received November 30, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2866. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Textron Canada Limited (Type Certificate Previously Held by Bell Helicopter Textron Canada Limited) Helicopters [Docket No.: FAA-2021-0575; Project Identifier MCAI-2020-00545-R; Amendment 39-21749; AD 2021-20-11] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2867. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0612; Project Identifier MCAI-2021-00650-R; Amendment 39-21755; AD 2021-20-17] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2868. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0608; Project Identifier 2019-SW-119-AD; Amendment 39-21750; AD 2021-20-12] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2869. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0579; Project Identifier MCAI-2020-00267-R; Amendment 39-21748; AD 2021-20-10] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2870. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0578; Project Identifier 2018-SW-084-AD; Amendment 39-21741; AD 2021-20-03] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2871. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule— Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0565; Project Identifier 2018-SW-111-AD; Amendment 39-21743; AD 2021-20-05] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2872. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2021-0576; Project Identifier 2019-CE-008-AD; Amendment 39-21758; AD 2021-20-20] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2873. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2021-0350; Project Identifier MCAI-2020-01633-T; Amendment 39-21746; AD 2021-20-08] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2874. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2021-0261; Project Identifier MCAI-2020-01502-T; Amendment 39-21753; AD 2021-20-15] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2875. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2021-0569; Project Identifier MCAI-2020-01692-T; Amendment 39-21752; AD 2021-20-14] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2876. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2021-0462; Project Identifier MCAI-2020-01714-T; Amendment 39-21751; AD 2021-20-

13] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2877. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2021-0312; Project Identifier MCAI-2020-01376-T; Amendment 39-21729; AD 2021-19-11] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2878. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes [Docket No.: FAA-2021-0260; Project Identifier MCAI-2020-01255-T; Amendment 39-21745; AD 2021-20-07] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2879. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2021-0563; Project Identifier MCAI-2021-00282-T; Amendment 39-21742; AD 2021-20-04] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2880. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AERO Sp. z o.o. Airplanes [Docket No.: FAA-2021-0782; Project Identifier MCAI-2021-00915-A; Amendment 39-21732; AD 2021-19-14] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2881. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2021-0309; Project Identifier MCAI-2020-00918-T; Amendment 39-21730; AD 2021-19-12] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2882. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2021-0789; Project Identifier MCAI-2020-01607-T; Amendment 39-21736; AD 2021-19-18] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2883. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport

Régional Airplanes [Docket No.: FAA-2021-0548; Project Identifier MCAI-2021-00046-T; Amendment 39-21731; AD 2021-19-13] (RIN: 2120-AA64) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2884. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Galesburg, IL [Docket No.: FAA-2021-0554; Airspace Docket No.: 21-AGL-26] (RIN: 2120-AA66) received November 18, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-2885. A letter from the Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Recapture of Excess Employment Tax Credits Under the American Relief Plan Act of 2021 [TD 9953] (RIN: 1545-BQ09) received November 30, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-2886. A letter from the Acting Branch Chief, Legal Processing Division, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Automatic method change procedures for method changes with Sec. 1.451-3 and/or Sec. 1.451-8 (TD 9941) (Rev. Proc. 2021-34) received November 30, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-2887. A letter from the Secretary, Department of Health and Human Services, transmitting the Review of Medicare's Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program, FY 2020, pursuant to 42 U.S.C. 1383f(a); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1875 (as amended by Public Law 104-193, Sec. 231); (110 Stat. 2197); jointly to the Committees on Energy and Commerce and Ways and Means.

EC-2888. A letter from the Chair of the Board of Directors, Office of Congressional Workplace Rights, transmitting an Amended Notice of Adoption of Substantive Regulations and Transmittal for Congressional Approval, pursuant to 2 U.S.C. 1384(b)(3); Public Law 104-1, Sec. 304; (109 Stat. 29); jointly to the Committees on House Administration and Education and Labor.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVID SCOTT of Georgia: Committee on Agriculture. H.R. 5608. A bill to support research and state management efforts on chronic wasting disease (Rept. 171-202). Referred to the Committee of the Whole House on the state of the Union.

Mr. DAVID SCOTT of Georgia: Committee on Agriculture. H.R. 5609. A bill to amend the Agricultural Marketing Act of 1946, to establish a cattle contract library, and for other purposes (Rept. 117-203). Referred to the Committee of the Whole House on the state of the Union.

Mr. DAVID SCOTT of Georgia: Committee on Agriculture. H.R. 4489. A bill to amend the Act of June 20, 1958, to require that certain amounts collected by the United States with respect to lands under the administration of the Forest Service be invested into

interest bearing obligations, and for other purposes (Rept. 117-204). Referred to the Committee of the Whole House on the state of the Union.

Ms. SCANLON: Committee on Rules. House Resolution 838. Resolution providing for consideration of the bill (H.R. 5314) to protect our democracy by preventing abuses of presidential power, restoring checks and balances and accountability and transparency in government, and defending elections against foreign interference, and for other purposes; providing for consideration of the bill (S. 1605) to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purposes; and providing for consideration of the bill (S. 610) to address behavioral health and well-being among health care professionals (Rept. 117-205). Referred to the House Calendar.

Ms. WATERS: Committee on Financial Services. H.R. 4616. A bill to deem certain references to LIBOR as referring to a replacement benchmark rate upon the occurrence of certain events affecting LIBOR, and for other purposes; with an amendment (Rept. 117-206 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

## DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the following action was taken by the Speaker:

H.R. 4616. The Committees on Ways and Means and Education and Labor discharged from further consideration. Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SCHRIER (for herself and Mr. HORSFORD):

H.R. 6143. A bill to provide for certain Medicare program extensions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Missouri (for himself, Mr. BRADY, Mrs. RODGERS of Washington, Mr. BURGESS, Mr. WENSTRUP, Mr. BUCSHON, Mr. CARTER of Georgia, Mr. HARRIS, Mr. VAN DREW, Mr. MURPHY of North Carolina, and Mr. JOYCE of Pennsylvania):

H.R. 6144. A bill to delay and offset the sequester to occur in January 2022 under the Statutory Pay-As-You-Go Act of 2010, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Energy and Commerce, the Judiciary, Agriculture, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANN:

H.R. 6145. A bill to require the appropriate Federal banking agencies to develop a Community Bank Leverage Ratio that is between 8 percent 8.5 percent for calendar years 2022, 2023, and 2024, and for other purposes; to the Committee on Financial Services.

By Mr. BURGESS:

H.R. 6146. A bill to amend the Internal Revenue Code of 1986 to establish business tax